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Nov. 18, 2020

**BY ECF**

Hon. Paul A. Engelmayer  
USDJ-SDNY  
40 Foley Sq.  
New York, NY 10007

Re: *US v. Ellison*, 18 CR 834 (SDNY) (PAE)

Dear Judge Engelmayer:

I am prospective appellate counsel for Anthony Ellison, the defendant in the captioned case. Please accept this letter as a 28 USC § 2241 motion for an order directing the Metropolitan Correctional Center to allow Ellison a phone call with a responsible relative for purposes of authorizing and arranging my retention.

During separate legal visits in Oct. and Nov., Ellison indicated that he wishes to hire me to handle his direct appeal – noticed earlier this week and now pending before the Second Circuit – of his conviction and sentence in this Court. Ellison has been unable to do so, however, because held in segregated custody – with no telephone access – since around mid-Oct. And without phone access during the critical period between sentencing and appeal, Ellison cannot contact a responsible relative to authorize and arrange my engagement, impairing his fundamental rights to appeal and counsel and stalling the appeal's progress.

To alleviate those impediments and permit the appeal to proceed, I therefore request an order directing the MCC to allow Ellison a call with a responsible relative to authorize and arrange my retention. I appreciate the Court's attention in considering this letter.

Respectfully,



Marc Fernich

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**GRANTED.** The Court directs the MCC to facilitate the requested phone call this week, i.e., by Friday, November 20, 2020. The Clerk of Court is requested to terminate the motion at Dkt. No. 579.

11/18/2020

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge